

IAP6 Rec'd PCT/PTO 21 DEC 2006

Attorney Docket No. 1028750-000248

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

Patrick DELUCA et al.

Application No.: 10/549,760

Filing Date: September 19, 2005

Title: POLY(ACRYLOY-HYDROXYETHYL
STARCH)-PLGA COMPOSITE
MICROSCOPHERES

Group Art Unit: To Be Assigned

Examiner: To Be Assigned

Confirmation No.: 8427

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office dated May 24, 2006, enclosed please find:

- ☒ a Combined Declaration and Power of Attorney signed by the inventor(s);
- ☒ the surcharge of ☒ \$65.00 ☐ \$130.00 as set forth in 37 C.F.R. § 1.16(e);
- ☒ Examination Fee of ☒ \$100.00 ☐ \$200.00
- ☒ Search Fee of ☒ \$250.00 ☐ \$500.00
- ☒ a Petition for Five Month Extension of Time;
- ☒ copy of Notice to File Missing Parts of Nonprovisional Application; and
- ☒ Small entity status is hereby claimed.
- ☒ Charge \$415.00 to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

12/28/2006 MKAYPAGH 00000085 10549760


01 FC:2632 250.00 OP
02 FC:2633 100.00 OP
03 FC:2617 65.00 OP

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date December 21, 2006

By:


Deborah H. Yellin
Registration No. 45,904

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620



PLT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

1028750-00248

U.S. APPLICATION NUMBER NO. 10/549,760	FIRST NAMED APPLICANT Patrick Deluca	ATTY. DOCKET NO. 0278750-248
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INTERNATIONAL APPLICATION NO. PCT/US04/08399

I.A. FILING DATE 03/19/2004	PRIORITY DATE 03/19/2003
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Burns Doane Swecker & Mathis
P O Box 1404
Alexandria, VA 22313-1404

CONFIRMATION NO. 8427
371 FORMALITIES LETTER

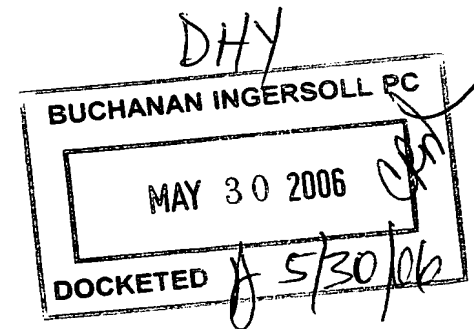


Date Mailed: 05/24/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/19/2005
- Copy of the International Search Report filed on 09/19/2005
- Copy of IPE Report filed on 09/19/2005
- Information Disclosure Statements filed on 09/19/2005
- Small Entity Statement filed on 09/19/2005
- U.S. Basic National Fees filed on 09/19/2005
- Priority Documents filed on 09/19/2005
- Specification filed on 09/19/2005
- Claims filed on 09/19/2005
- Abstracts filed on 09/19/2005
- Drawings filed on 09/19/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

Missing Parts Due: 7/24/06

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$215** for a Small Entity:

- **\$65** Surcharge.
 - The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
 - The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,760	PCT/US04/08399	0278750-248